

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
W.R. Grace & Co., <i>et.al.</i> ,	)	Case No. 01-1139 (KJC)
	)	
Reorganized Debtors.	)	(Jointly Administered)
	)	
Barbara Hunt, Personal Representative	)	
for the Estate of Robert J. Hunt, deceased,	)	
and Sue C. O'Neill,	)	
	)	
Plaintiffs,	)	Adv. Pro. No. 18-50402 (KJC)
	)	
v.	)	
	)	
Maryland Casualty Company,	)	
	)	
Defendant.	)	

**STATUS REPORT**

The plaintiffs commenced this adversary proceeding seeking a declaratory judgment against Maryland Casualty Company (“MCC”) that their Montana state law claims against MCC may proceed without violating the channeling injunction in the confirmed chapter 11 plan filed by W.R. Grace & Co., et al. (the “Injunction”). MCC has moved to dismiss the adversary complaint. The issues in this adversary proceeding are similar to those raised by MCC in its *Motion to Enforce the Permanent Channeling Injunction and for Sanctions* filed by MCC in the main bankruptcy case (Docket No. 32999) (the “Roberts Motion”). On June 27, 2018, the Court entered an Order staying this adversary proceeding and the Roberts Motion pending a decision of the Third Circuit Court of Appeals (the “Third Circuit”) in an appeal from this Court’s decision in *Continental Casualty Company, et al. v. Jeremy B. Carr, et al.*, Adv. Proc. No. 15-50766 (the “CNA Action”). The Third Circuit issued its decision on

August 14, 2018, vacating this Court's decision in the CNA Action and remanding for further proceedings.

By Order dated August 16, 2018, the Court invited the parties to the Roberts Motion to submit letters addressing the effect of the Third Circuit's decision. The plaintiffs attach hereto the letter they submitted which, among other things, explains the interrelationship of the issues in this adversary proceeding, the Roberts Motion, and the CNA Action. The plaintiffs have conferred with counsel to MCC and counsel to the plaintiffs in the CNA Action, reaching agreement on procedural next steps that are reflected in the proposed form of order that CNA will attach to its status report of even date herewith in the CNA Action.

Respectfully submitted,  
ROSE ROBERTS (AND OTHER RESPONDENTS)  
By their attorneys,

/s/ Michael Busenkell  
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